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10/779,652	02/18/2004	Yasutoshi Ohta	248886US2	8929
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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER TANK, ANDREW L	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/779,652	Applicant(s) OHTA, YASUTOSHI	
	Examiner Andrew Tank	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :05/11/2004, 05/11/2004, 10/05/2004, 12/10/2004, 10/16/2006.

DETAILED ACTION

1. This action is in response to the preliminary amendment of February 18, 2004. Claims 1-26 are pending and have been considered below.

2. Examiner's Note. The Applicant appears to be attempting to invoke 35 U.S.C. 112 6th paragraph in Claims 12-20 by using "means-plus-function" language. However, the Examiner notes that the only "means" for performing these cited functions in the specification appears to be computer program modules. While the claims pass the first test of the three-prong test used to determine invocation of paragraph 6, since no other specific structural limitations are disclosed in the specification, the claims do not meet the other tests of the three-prong test. Therefore, 35 U.S.C. 112 6th paragraph has not been invoked when considering these claims below.

Information Disclosure Statement

3. The information disclosure statement filed May 11, 2004, which contains a "List of Related Cases", has been partially considered but fails to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an

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information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered. The examiner notes that if the items of page 3 are resubmitted in standard form PTO 1449, these items will be fully considered by the examiner.

4. The information disclosure statement filed October 5, 2004, which contains a "List of Related Cases", has been partially considered but fails to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered. The examiner notes that if the items of page 2 are resubmitted in standard form PTO 1449, these items will be fully considered by the examiner.

5. The information disclosure statement filed December 10, 2004, which contains a "List of Related Cases", has been partially considered but fails to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on

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each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered. The examiner notes that if the items of page 2 are resubmitted in standard form PTO 1449, these items will be fully considered by the examiner.

Specification

6. The abstract of the disclosure is objected to because of length. Correction is required. See MPEP § 608.01(b). Applicant is reminded of the proper language and format for an abstract of the disclosure. The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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8. Claims 1-4, 6, 9-10, 21, 24, and 26 are rejected under 35 U.S.C. 102(e) as being unpatentable by **Konno** (U.S. Patent 6,606,460).

- Claims 1, 21, and 26: **Konno** discloses an imaging apparatus help system (Abstract lines 1-4) comprising:

- an imaging apparatus that is connected to a network and is adapted to output and record an image on paper (col 5 lines 15-25), the imaging apparatus including an operation unit, a display unit, and an information memory unit (col 5 lines 21-29); and
- an information server that is connected to the network and is adapted to receive a communication information request from the imaging apparatus, the information server including an information storage unit storing a plurality of types of communication information (col 1 lines 62-64), wherein
- when a user request for a predetermined type of the types of communication information is made at the operation unit of the imaging apparatus, if the predetermined type of communication information is stored in the information memory unit of the imaging apparatus, the imaging apparatus reads the predetermined type of communication information from the information memory unit and displays the read communication information on the display unit (col 3 lines 63-67, col 4 lines 1-2), and if the predetermined type of communication information is not stored in the information memory unit of the imaging apparatus, the imaging apparatus sends a request for the predetermined type of communication information to the information server, and the information server reads the predetermined type of communication

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information from the information storage unit and sends the predetermined type of communication information to the imaging apparatus, and the imaging apparatus stores the predetermined type of communication in the information memory unit and displays the predetermined type of communication information on the display unit (col 4 lines 2-13); and

- the imaging apparatus stores in the information memory unit one or more of the types of communication information received from the information server (col 4 lines 11-12), and deletes at least a portion of the stored one or more types of communication information when a remaining storage capacity of the information memory unit is reduced to no more than a predetermined capacity (col 5 lines 24-26 temporary storage).
- Claim 2: Konno discloses the imaging apparatus help system as claimed in claim 1 above, wherein the communication information corresponds to help information pertaining to operating the imaging apparatus (col 1 lines 63-64).
- Claim 3: Konno discloses the imaging apparatus help system as claimed in claim 1, wherein the deletion of the communication information is performed in chronological order according to a storage date of the communication information stored in the information memory unit (col 6 lines 31-32).
- Claim 4: Konno discloses the imaging apparatus help system as claimed in claim 1, wherein the deletion of the communication information is performed based on a usage frequency order of the communication information stored in the information memory unit (col 5 line 25 “simple solutions to help requests”).

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- Claim 6: **Konno** discloses the imaging apparatus help system as claimed in claim 1, wherein the communication information includes a program that is executable at the imaging apparatus (col 5 lines 23-24, lines 30-31).
- Claim 9: **Konno** discloses the imaging apparatus help system as claimed in claim 1, wherein each type of communication information is described in a plurality of formats, and a format is selected at the imaging apparatus for providing the predetermined type of communication information that is requested at the operation unit (col 6 line 29 image and text formats), the predetermined type of communication information in the selected format being read from the information memory unit and displayed if the predetermined type of communication information in the selected format is stored in the information memory unit, and a communication information request for the predetermined type of communication information in the selected format being made to the information server if the predetermined type of communication information in the selected format is not stored in the information memory unit, after which the predetermined type of communication information in the selected format from the information server is stored in the information memory unit and displayed on the display unit.
- Claim 10: **Konno** discloses the imaging apparatus help system as claimed in claim 9, wherein the communication information in one format includes a program that is executable at the imaging apparatus (col 5 lines 23-24, lines 30-31).
- Claim 24: **Konno** discloses a method of providing help data to an imaging apparatus (col 5 line 15-25) and a help server (col 1 lines 62-64) that are connected to a network, wherein the

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imaging apparatus and the help server each have a storage unit for storing help data (col 5 lines 21-29), the method comprising:

- making an inquiry about an availability of a predetermined type of help data to the help server on the network (col 3 lines 63-67, col 4 lines 1-17); and
- if the predetermined type of help data is available at the another device, reading and sending the predetermined type of help data from the help server to the imaging apparatus, and storing the predetermined type of help data in the imaging apparatus (col 4 lines 3-14).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 5, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Konno** (U.S. Patent 6,606,460).

- Claim 5: Konno discloses the system as in claim 1 above, but does not specifically disclose wherein the deletion of the communication information is performed based on a data size of the communication information stored in the information memory unit. However, **Konno** does disclose the storage of simple solutions to common problems (col 5 line 25) and the deletion of items by chronological order (col 6 lines 31-32). Therefore it would have been obvious to one of ordinary skill in the art at the time the present invention was made to delete

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the information by methods including chronological, usage, and data size. One would have been motivated to do this in order to provide temporary storage for the help information (col 5 line 26).

- Claims 7 and 8: **Konno** discloses the method as in claim 6 above, but does not specifically disclose wherein the program corresponds to a JAVA applet or a mobile agent. However, it would be obvious to one of ordinary skill in the art at the time the present invention was made that the program could correspond to whatever object or agent type the programmer decided, be it JAVA applet, mobile agent, an object oriented programming module such as a C++, or a database/web based protocol such as XML. One would be motivated to do this in order to use an established programming language to avoid the costs involved with creating one's own.

11. Claims 11-20, 22-23, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Konno** (U.S. Patent 6,606,460) in view of **Fitch** (U.S. PreGrant Publication 2003/0086109).

- Claim 11: **Konno** discloses the system as in claim 9 above, but does not specifically disclose that the information in one format includes switching a language in which the information is displayed. **Fitch** discloses that the content being downloaded/preloaded includes pre-recorded videos, dynamic content and video conferencing (**Fitch** page 3 [0024]). It would have been obvious to one of ordinary skill in the art at the time the present invention was made to select a prerecorded video in ones native language in order to facilitate the assistance of the user (**Fitch** page 2 [0018]).

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- Claim 12: **Konno** discloses a system comprising:
 - an imaging apparatus (**Konno** col 5 line 15-25) and a help server (**Konno** col 1 lines 62-64) that are connected to a network, wherein the imaging apparatus and the help server each have a storage unit for storing help data (**Konno** col 5 lines 21-29); and
 - help data operation means for realizing a help data operation when the imaging apparatus connected to the network requires a predetermined type of help data, the help data operation being performed on another device on the network (**Konno** col 3 lines 63-67, col 4 lines 1-17).
 - **Konno** does not disclose a plurality of imaging apparatuses. **Fitch** discloses at least one distributed printer connected to a network (**Fitch** page 1 [0009]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the present invention was made to allow a plurality of imaging apparatuses to be networked on the same intranet network. One would have been motivated to do this in order to allow multiple machines remote from each other in a typical business office (**Fitch** page 1 [0002]).
- Claim 13: **Konno and Fitch** disclose the system as in claim 12 above, and **Konno** further discloses wherein the help data operation includes at least one of reading (**Konno** col 4 line 1-2), writing (**Konno** col 3 line 66), and deleting (**Konno** col 5 line 26) predetermined help data.
- Claim 14: **Konno** discloses a system comprising:

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- an imaging apparatus (**Konno** col 5 line 15-25) and a help server (**Konno** col 1 lines 62-64) that are connected to a network, wherein the imaging apparatus and the help server each have a storage unit for storing help data (**Konno** col 5 lines 21-29); and
- inquiry means for making an inquiry about an availability of help data when the imaging apparatus connected to the network requires a predetermined type of help data, the inquiry being performed on another device on the network (**Konno** col 3 lines 63-67, col 4 lines 1-17).
- **Konno** does not disclose a plurality of imaging apparatuses. **Fitch** discloses at least one distributed printer connected to a network (**Fitch** page 1 [0009]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the present invention was made to allow a plurality of imaging apparatuses to be networked on the same intranet network. One would have been motivated to do this in order to allow multiple machines remote from each other in a typical business office (**Fitch** page 1 [0002]).
- **Claim 15: Konno and Fitch** disclose the system as in claim 14 above, and **Fitch** further discloses that the devices corresponds to another imaging apparatus connected to the network (**Fitch** page 3 [0024] dynamic content, and **Fitch** page 2 [0019] conformed to receive dynamic content). Therefore it would have been obvious to one of ordinary skill in the art at the time the present invention was made to allow imaging apparatuses to inquiry each other for content. One would have been motivated to this in the event of an intranet with no central server (**Fitch** page 2 [0022]).

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- Claim 16: **Konno and Fitch** disclose the system as in claim 14 above, and **Konno** further discloses wherein the device corresponds to the help server (**Konno** col 3 lines 63-67, col 4 lines 1-17).
- Claims 17 and 18: **Konno and Fitch** disclose the system as in claim 14 above, and **Fitch** further discloses the help data including an audio/visual object (**Fitch** page 2 [0018]). One would have been motivated to allow the use of videos as help data in order to solve functionality issues without resorting to outdated manuals or under trained technicians (**Fitch** page 1 [0006]).
- Claim 19: **Konno** discloses a system comprising:
 - an imaging apparatus (**Konno** col 5 line 15-25) and a help server (**Konno** col 1 lines 62-64) that are connected to a network, wherein the imaging apparatus and the help server each have a storage unit for storing help data (**Konno** col 5 lines 21-29);
 - comparing means for comparing the help data stored in one of the imaging apparatuses connected to the network and the help data stored in the help server (**Konno** col 4 lines 3-5); and
 - updating means for updating the help data stored in said one imaging apparatus when it is determined by the comparison means that the help data stored in said one imaging apparatus are old, the updating being realized by downloading the help data stored in the help server to said one imaging apparatus (**Konno** col 4 lines 6-14).
 - **Konno** does not disclose a plurality of imaging apparatuses. **Fitch** discloses at least one distributed printer connected to a network (**Fitch** page 1 [0009]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the present

invention was made to allow a plurality of imaging apparatuses to be networked on the same intranet network. One would have been motivated to do this in order to allow multiple machines remote from each other in a typical business office (**Fitch** page 1 [0002]).

- **Claim 20: Konno** discloses a system comprising:
 - an imaging apparatus (**Konno** col 5 line 15-25) and a help server (**Konno** col 1 lines 62-64) that are connected to a network, wherein the imaging apparatus and the help server each have a storage unit for storing help data (**Konno** col 5 lines 21-29);
 - comparing means for comparing the help data stored in one of the imaging apparatuses connected to the network and the help data stored in the help server (**Konno** col 4 lines 3-5); and
 - updating means for updating the help data stored in said one imaging apparatus when it is determined by the comparison means that the help data stored in said one imaging apparatus are old, the updating being realized by downloading the help data stored in the help server to said one imaging apparatus (**Konno** col 4 lines 6-14).
 - **Konno** does not disclose a plurality of imaging apparatuses and help servers. **Fitch** discloses a plurality of networked computers and at least one distributed printer connected to a network (**Fitch** page 1 [0009]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the present invention was made to allow a plurality of imaging apparatuses and computers/servers to be networked on the same intranet network and to further allow comparing and updating of information between them. One would have been motivated to do this in order to allow multiple machines

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remote from each other in a typical business office (**Fitch** page 1 [0002]) and to keep the information up-to-date (**Fitch** page 2 [0019]).

- **Claim 22:** **Konno** discloses a method of providing help data to an imaging apparatus (**Konno** col 5 line 15-25) and a help server (**Konno** col 1 lines 62-64) that are connected to a network, wherein the imaging apparatus and the help server each have a storage unit for storing help data (**Konno** col 5 lines 21-29), the method comprising:
 - making an inquiry about an availability of a predetermined type of help data to another device on the network (**Konno** col 3 lines 63-67, col 4 lines 1-17); and
 - if the predetermined type of help data is available at the another device, reading and sending the predetermined type of help data from the other device to the imaging apparatus, and storing the predetermined type of help data in the imaging apparatus (**Konno** col 4 lines 3-14).
 - **Konno** does not disclose that the other device is another imaging apparatus. **Fitch** discloses that the device corresponds to another imaging apparatus connected to the network (**Fitch** page 3 [0024] dynamic content, and **Fitch** page 2 [0019] conformed to receive dynamic content). Therefore it would have been obvious to one of ordinary skill in the art at the time the present invention was made to allow imaging apparatuses to inquiry each other for content. One would have been motivated to this in the event of an intranet with no central server (**Fitch** page 2 [0022]).
- **Claim 23:** **Konno and Fitch** disclose the method as in claim 22 above, and **Konno** further discloses the method comprising:

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- comparing means for comparing the help data stored in one of the imaging apparatuses connected to the network and the help data stored in the other device (**Konno** col 4 lines 3-5); and
- updating means for updating the help data stored in said one imaging apparatus when it is determined by the comparison means that the help data stored in said one imaging apparatus are old, the updating being realized by downloading the help data stored in the other device to said one imaging apparatus (**Konno** col 4 lines 6-14).
- Claim 25: **Konno** discloses the method as in claim 24 above, and further discloses:
 - comparing the help data stored in one of the imaging apparatuses connected to the network and the help data stored in the server (**Konno** col 4 lines 3-5); and
 - updating the help data stored in said one imaging apparatus when it is determined by the comparison means that the help data stored in said one imaging apparatus are old, the updating being realized by downloading the help data stored in the help server to said one imaging apparatus (**Konno** col 4 lines 6-14).
 - **Konno** does not disclose that the comparing and updating is actually done between a local help server and a global help server. **Fitch** discloses the downloading of videos from the Internet or intranet (**Fitch** page 2 [0018]). Therefore it would have been obvious to one of ordinary skill in the art at the time the present invention was made to update the information in the local server with information from another server on an intranet, or a global server on the Internet. One would have been motivated to do this in order to keep the information as up-to-date, current and timely as possible (**Fitch** page 2 [0019]).

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- **Tatsuo et al.** (U.S. Patent 6,750,878) "Information Display Device for Displaying Guidance Information on Status of Operation" – pertains to an LCD display for displaying help information on an imaging device.
- **Baldwin et al.** (U.S. Patent 5,877,757) "Method and System for Providing User Help Information in Network Applications" – pertains to sending/updating/maintaining user help information displayed in a window through a server/client network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Tank whose telephone number is 571-270-1692. The examiner can normally be reached on Mon - Fri (Alt. Fri Off) 0730-1500 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeza can be reached on 571-272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

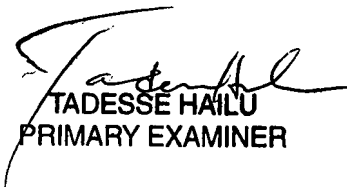
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ALT
June 8, 2007

John Cabeca
Supervisory Primary Examiner



TADESSE HAILU
PRIMARY EXAMINER